

**CENTRO NODA
DEVELOPMENT STANDARDS**
Petitioner: Ascent Real Estate Capital, LLC
Rezoning Petition No. 2021-xxx
3/29/2021

Site Development Data:

- Acreage: ± 1.89 acres
- Tax Parcels: 091-104-01 and 091-104-02
- Existing Zoning: R-5
- Proposed Zoning: MUDD-O
- Existing Uses: Institutional/Religious, Vacant
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited in the Rezoning Plan.
- Maximum Development, subject to conversion rights:
 - a. 225 Multi-family residential units; and
 - b. Up to 15,000 square feet of retail, EDEE, personal service or other non-residential uses.
- Maximum Building Height: 85 feet
- Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Ascent Real Estate Capital, LLC ("Petitioner") to accommodate development of a mixed-use project on an approximately 1.89-acre site located at 729 East 36th Street and 3315 N McDowell Street, more particularly described as Mecklenburg County Tax Parcel Numbers 091-104-01 and 091-104-02 (the "Site").
- b. **Intent.** This Rezoning is intended to accommodate development on the Site of a pedestrian-focused mixture of MUDD-permitted uses including but not limited to residential and ground-floor retail.
- c. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, or as requested in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.

II. Permitted Uses:

Subject to the Maximum Development provisions set forth under Section III below, the Site may be devoted to any uses permitted by right or under prescribed conditions in the MUDD Zoning District, together with any incidental or accessory uses associated therewith.

III. Optional Provisions:

- a. To allow mechanical and utility equipment such as transformers, enclosures, electrical equipment, and backflows to encroach within the setback, so long as they do not block the required sidewalk along street frontages.
- b. The Petitioner shall provide a minimum eighteen (18) foot wide class C buffer (including the existing alleyway) along the northeastern property line adjacent to R-5 zoning, as generally depicted on the Rezoning Plan.

IV. Maximum Development and Restrictions:

- a. Subject to the restrictions and limitations listed below, the principal buildings constructed on parcel 091-104-01 may be developed with up to: (i) a maximum of 225 residential units and (ii) 15,000 square feet of retail, personal service, EDEE, and other non-residential uses permitted by right and under prescribed conditions in the MUDD zoning district, along with any accessory uses allowed in the MUDD zoning district. Parcel 091-104-02 shall not contain any residential units or commercial uses.
- b. **Prohibited Uses:** Car washes (except for residential car wash stations); Automobile Service Stations; accessory drive-through service windows.

V. Transportation:

- a. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- b. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued. Right-of-way shall be set at two (2) feet behind back of sidewalk where feasible.
- c. All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.
 1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

VI. Design Guidelines:

- a. **Preferred Exterior Building Materials:** The principal building facades constructed on the Site and abutting a network required public or private street shall comprise a minimum of 40% of that building's entire façade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other materials approved by the Planning Director.
- b. **Prohibited Exterior Building Materials:** The Petitioner will not utilize (1) vinyl siding (excluding the use of vinyl handrails, windows or door trim, which shall be permitted); or (2) concrete masonry units not architecturally finished.
- c. **Building Massing and Height** shall be designed to break up long monolithic building forms as follows: Buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of ten (10) feet wide and shall project or recess a minimum of two (2) feet extending through at least a full floor.
- d. **Architectural Elevation Design:** elevations shall be designed to create visual interest as follows:
 1. Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and/or change in materials or colors;
 2. Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through the use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
 3. Building elevations fronting network required public or private streets shall not have expanses of blank walls greater than twenty (20) feet in all directions and architectural features such as (but not limited to) banding, medallions or design features or materials that will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- e. Active ground floor uses shall occupy at minimum of 80% of the Site's linear street-level building frontage along East 36th Street.
- f. A minimum of 70% of all parking structures shall be screened from public streets at the pedestrian level or street level by active uses. Car headlights shall be fully screened within the parking structure per Ordinance standards.
- g. In order to stimulate pedestrian activity, the Site shall be designed to incorporate an urban open space area as generally depicted on the Rezoning Plan along East 36th Street, which shall be a minimum of two hundred (200) square feet.
- h. The Petitioner shall provide an Open Space/Tree Save area within parcel 091-104-02 (3315 North McDowell Street) of the Site.

VII. Environmental Features:

- a. The Petitioner shall comply with the Post Construction Stormwater Ordinance.
- b. The Petitioner shall comply with the Tree Ordinance.

VIII. Lighting:

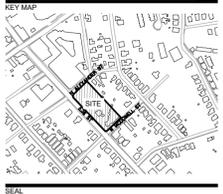
- a. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed on buildings, along the driveways, sidewalks, and parking areas. However, upward facing accent/architectural lighting shall be permitted.

IX. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

X. Binding Effect of the Rezoning Application:

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



PROJECT

CENTRO NODA
729 E 36 ST
CHARLOTTE, NC 28205

REZONING

**ASCENT
REAL ESTATE CAPITAL**
2100 CRESCENT AVENUE
SUITE 200
CHARLOTTE, NC 28207

LANDESIGN PROJ.# 1021016

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

SCALE: NORTH

VERT: N/A
HORZ:

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-2

